



Confederated Tribes of Warm Springs, Oregon
Public Utilities Branch
PO Box 196
Warm Springs, OR 97701
Phone 541-853-3245
Fax 541-853-4380

AGENCIES RESOURCE EXPENDITURE on PROJECTS TO SUPPORT SDWA 1414 & 1431 EPA ORDER TO THE CONFEDERATE TRIBES of WARM SPRINGS

Agency Management:

As you are aware the Confederated Tribes of the Warm Springs Indian Reservation of Oregon (TRIBES) are under two Safe Drinking Water Act Orders from the U.S. EPA, Region 10 (EPA) to address potable water distribution and treatment deficiencies related to the Dry Creek Surface Water Plant.

The TRIBES are holding four pots of grant dollars which they would like to use to help address the orders' requirements including deficiency items, these are:

- | | |
|-------------------------------------------------|--------------|
| 1. HUD grant monies in the amount of | \$427K |
| 2. BIA grant monies in the amount of | \$343K |
| 3. IHS/EPA grant monies in the amount of | \$141K |
| 4. <u>CTWS internal monies in the amount of</u> | <u>\$72K</u> |
| Total | \$983K |

Note: There is an additional \$20K in the HUD pot allocated to administration and indirect cost not included in this summary.

The \$141K L71 funds provided by IHS and EPA have been confirmed to still be available, and are fit for this purpose, confirmation attached in Appendix A.

The TRIBES are proposing to spend the monies in the following manner:

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 1. IHS/EPA, BIA, and HUD funds allocated for water treatment facilities studies; Engineering Report, including filter media evaluation in the sum of | \$191K |
| 2. <u>BIA, HUD, and TRIBES funds allocated to historically identified projects in the sum of</u> | <u>\$792K</u> |
| Total | \$983K |

It is intended that the monies shall be spent utilizing a Design/Build approach, with work packaged into four discipline specific packs (note: we originally suggested 6 packages but in reviewing the monies available we believe we will get a better response with only 4 packages). The contracting documentation will follow the Engineering Joint Contracting Documentation Committee's (EJCDC) formulation. The package breakdown is demonstrated in Table 1.



		Package 1 M & Chemical Plant			Package 2 E & ICA & Process			Package 3 Civil			Package 4 Building			Total
Engineering Study	IHS \$:00	47			47			23.5			23.5			\$ 141
	Filter Evaluation				20			30						\$ 50
	Sub Total 1	\$ 47.00			\$ 97.00			\$ 23.50			\$ 23.50			\$ 191
Design Build Projects	Project #	BIA \$:00			HUD \$:00			CTWS \$:00			BIA \$:00			
	Project Name													
	1 Backwash/Sludge Pond Lining				60									\$ 60
	2 PAC Plant Enclosure				30									\$ 30
	3 Filter Media Replacement				38			25						\$ 63
	4 Finished Water Pumps	60			25									\$ 175
	5 HVAC										42			\$ 65
	6 Intake Screen				48						23			\$ 48
	7 SCADA				148			49						\$ 197
	8 Raw Water Pumps				60			30						\$ 100
	9 WTP WW System							50						\$ 50
Sub Total 2		\$ 60			\$ 198			\$ -			\$ 221			\$ 792
Sub Total 3		\$ -			\$ 258			\$ -			\$ 358			\$ 792
TOTAL		\$ -			\$ 305			\$ -			\$ 456			\$ 983

Table 1: Financial Breakdown of Funds

As part of the EPA Emergency Orders, the TRIBES are required to produce an Engineering Study that yields prioritized lists of deficiencies in both the distribution and water treatment and supply systems.

The Engineering Report for the distribution system will comprise of the collection and collation of several completed and ongoing work activities, including:

1. A summary report of the emergency repair to the Shitike Creek crossing
2. A summary report and the O&M manual produced for the PRV/Flow Control Emergency Repair work
3. The executive summary from the IHS/CW report on the permanent Shitike Creek crossing proposal
4. The prioritized list of main repairs identified as output from the IHS/CW leak detection study, and
5. A control document listing staff collected and collated information, diagrams, drawings, and specifications of the distribution system

The Engineering Report for the water treatment facility will be a collection and collation of the engineering evaluations undertaken by the discipline specific project Design/Build teams. The combination of the individual reports shall provide a complete assessment of the WTPs facilities. The specific disciplines for the individual reports shall be:

1. Mechanical & Chemical plant
2. Electrical, ICA, Process equipment
3. Civil infrastructure
4. Building facilities

Each Discipline shall report a prioritized list of deficiencies, prioritized by Highest Risk of Failure as measured by Capacity, Condition, Compliance, and Efficiency, and poorest remaining useful life. These lists shall be used to formulate 1, 2, 5, 10-year Operational Expenditure (OpEx), and Capital Expenditure (CapEx) works plans.

The currently identified projects will be undertaken by the discipline specific teams in parallel to the Engineering Study. Where this is considered inappropriate and not a good use of the monies the projects will be delayed awaiting the recommendations of the Engineering Report, and the appropriate

highest priority item will then be addressed by the discipline specific project team constrained to the previous allocated funds.

It must be noted that BIA and HUD monies have been allotted to specific projects as shown in Table 1. If there becomes a conflicting priority from the Engineering Study/Report and the currently priority list, it is intended to reallocate the assigned monies to the Highest Risk, Poorest Quality assets.

The TRIBES would appreciate your confirmation that this methodology of expending the agencies funds is acceptable and in line with accepted methodologies. That is the agencies see no conflict of interest in this proposal and they will work with the TRIBES to enable full expenditure of the funds in the most appropriate way.

The TRIBES request that any policies, plans, processes, procedures, practices, or performance measures (6Ps) that the agencies will require for this to happen, that they provide the same for review, consideration, and implementation into the project as soon as practically possible.

Please complete Table 2:

FUND EXPENDITURE METHODOLOGY APPROVAL					
Column #:	Column 1	Column 2	Column 3	Column 4	Column 5
AGENCY	Agency will accept EJDC forms of Contract (If not please provide alternate)	Agency has NO CONFLICTS with Engineering Study/Report & Design/Build Methodology	Will Enable Methodology to Move monies between Existing and Newly Identified Higher Priority Projects	Proposed Methodology Meets the EPA Order Requirements	Agency has appropriate "6Ps" that enable Methodology to move forward. (List references as appropriate)
HUD	THC*	THC	THC	N/A	THC
BIA	BKM	BKM	BKM	BKM	BKM
IHS					
EPA					

Table 2: Agency Agreement Methodology Signoff

Table Notes:

1. All Contracts to be awarded in accordance with tribal Acquisition regulations.*
2. BIA funding was previously provided via 638 Contract.
3. Column 3. Current BIA funding was provided to accomplish specific work items which have NOT been completed. Re-programing of BIA funding will require BIA approval prior to shifting funds. An email showing cost and schedule details will suffice.
4. Column 5. BIA reference 638 Program Regulations.
5. BKM ... Bryan K. Mercier BIA NW Regional Director.

Agency representative to initial each box above to indicate approval and understanding, and under separate cover return this letter along with any appropriate agency support or requested data.

* CONTRACT DOCUMENTS WILL NEED TO INCLUDE CONTRACT PROVISIONS REQUIRED BY 25CFR 100.501(a)(13), SPECIFICALLY THOSE LISTED IN PART 200, APPENDIX II (EXCEPT FOR (D) & (E)).³

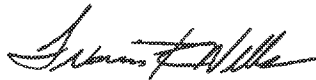
Our schedule for this work is very aggressive given this is a federally funded exercise. Our outline schedule is illustrated in Figure 1. We would appreciate your prompt response to this letter and look for your agreement prior to our next meeting Wednesday November 6th, 2019.

2019			2020						
Oct	Nov	Dec	Jan	Feb	March	April	May	June	July
START	Draft RFP								
		Review							
			Tender Response						
				Selection					
					Negot. NTP				
						Project Execution			
					Eng. Report: D/B:	Evaluation	Consolidate	Report	
						Implementation			

Figure 1: Preliminary Schedule (10/30/2019)

We appreciate your help and support.

Kind regard



Travis R. Wells
Branch of Public Works General Manager

Cc:

Michele Stacona, CEO
Alfred Estimo, Finance Director
Libby Chase, Purchasing Manager
Bruce Irwin, Development Director
Chico Holiday, Water Wastewater Supervisor
Keith Whisenhunt, P.E., Principal PDG
Barry Buchanan, P.E., Principal B&A

APPENDIX A:

EMAIL OF CONFIRMATION OF IHS/EPA FUNDS AVAILABILITY

Thu 10/17/2019 12:02 PM

Clark, Johnny Clark.Johnny@epa.gov

Re: HIS Project PO-13-L71 – 1A No.: 7595852101-2

LT Hancey,

Thank you for the updates regarding this project. It is the last project remaining for completion on this Interagency Agreement (IA). The project scope remains the same and the project (PO-13-L71) appears to be proceeding accordingly.

According to the financial data that I've reviewed, the funds obligated for this IA and project are sufficient to complete the project by September 9, 2020. Let me know if you have additional questions.

Thank you

Johnny Clark

From: Hancey, Derek (IHS/POR) <Derek.Hancey@ihs.gov>
Sent: Thursday, October 17, 2019 10:44 AM
To: Clark, Johnny <Clark.Johnny@epa.gov>
Cc: Baron, Adam <Baron.Adam@epa.gov>; Haugland, Craig J. (IHS/POR) <Craig.Haugland@ihs.gov>; Chadwick, Benjamin R (IHS/POR) <Benjamin.Chadwick@ihs.gov>
Subject: IHS Project PO-13-L71 - IA No. 7595852101-2

Hi Mr. Clark,

I have been coordinating with Warm Springs to implement IHS project L71 over this coming fall and winter. The WTP structural, mechanical & electrical systems, site, and unit process assessments will support development of the water system engineering assessment mandated by the emergency order, in addition to scoping and prioritizing high-priority repairs with available BIA and HUD Imminent Threat funds. The Tribe's contracted project manager is preparing RFP solicitation packages for six separate assessments which will be provided to IHS and EPA for review prior to being sent out for proposals.



Please let me know if you have any questions or if you would like to be included in future coordination meetings.

Sincerely,

LT Derek Hancey, P.E.

Environmental Engineer Consultant

Division of Sanitation Facilities Construction

Portland Area Indian Health Service

1414 NW Northrup Street, Suite 800

Portland, OR 97209

503-414-7784



Our Mission...to raise the physical, mental, social and spiritual health of American Indians and Alaska Natives to the highest level.

